IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Application of : Schmelzer, C., et al.) Art Unit: 1617 JIANG, SHAOHIA A.) Examiner: U.S. Appln. No. : 10/054,567 Confirmation No.: 7734 U.S. Filing Date : 11/13/2001 Title of Invention: Pharmaceutical Compositions Based on Tiotropium Salts of Salts of Salmeterol Attny. Docket No.: 1/1171 Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 June 3, 2005 TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT Sir: Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow. This Statement is being filed: i) within three (3) months of the filing 1.97(b). date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

A statement as specified in 37 C.F.R. §1.97(e) [see below]; or
The fee set forth in 37 C.F.R. §1.17(p).

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		The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.	
§1.97(c	ent as sp	This Statement is being filed after the period specified in 37 C.F.R. or before payment of the issue fee. This Statement is accompanied by a pecified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R.	
	1.97(e)		
	counter	Each item of information contained in the instant information disclosure ent was first cited in any communication from a foreign patent office in a rpart foreign application not more than three (3) months prior to the filing of tant information disclosure statement; or	•
	foreign making informa §1.56(c	No item of information contained in the instant information disclosure ent was cited in a communication from a foreign patent office in a counterpart application, and, to the knowledge of the person signing this certification af greasonable inquiry, no item of information contained in the instant ation disclosure statement was known to any individual designated in 37 C.F. or more than three (3) months prior to the filing of the instant information ure statement.	ter
		The fee set forth in 37 C.F.R. §1.17(p).	
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counter in section	rpart appoint on 1.56	d). Each item of information contained in the accompanying information ement was cited in a communication from a foreign patent office in a plication, which communication was not received by any individual designation of the accompanying sclosure statement.	

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,

Andrea D. Small

Attorney for Applicant(s)

Reg. No. 54,859

Patent Department Boehringer Ingelheim Corp. 900 Ridgebury Road, P.O. Box 368 Ridgefield, CT 06877 Tel: (203) 798-4816 Certificate of Mailing

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 1449A/PTO

Application Number 10/054,567

Filing Date 11/13/2001

First Named Inventor Schmelzer, C.

Art Unit 1617

Examiner Name JIANG, SHAOHIA A.

	U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (F known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
-	-+++	^{US-} 2002/0111363 A1	08/15/2002	Boehringer Ingelheim Pharma KG		
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	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T _e		
								
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Examiner Signature	Date Considered	

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (08-03) Approved for use through 06/30/2006. OMB 0651-0031

Complete if Known

10/054,567

11/13/2001

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Application Number

Attorney Docket Number

Filing Date

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

First Named Inventor Schmelzer, C. Art Unit 1617 JIANG, SHAOHIA A. Examiner Name

1/1171 2 Sheet 2 NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, Examiner magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city Cite Initials* No.¹ and/or country where published. B. Freund, et al.; "New stable pharmaceutical preparation for producing propellant-free aerosols"; US Patent Application 09/973,921, filed 02/03/1998. Attorney Docket Number 3/430. B. Freund, et al.; "New Aqueous Medicament Preparations for the Production of Propellant Gas-Free Aerosols"; US Patent Application 09/331,023, filed 09/15/1999. Attorney Docket Number 3/443 Karin Drechsel, et al.; "Inhalable Formulation of a Solution Containing a Tiotropium Salt"; US Patent Application 10/040,196, filed 10/25/2001. Attorney Docket Number 1/1162

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.